

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 01 2012 ★

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JEROME WINKLER,

Plaintiff,

-against-

HERSHEY FRIEDMAN, AGRI-STAR MEAT &  
POULTRY LLC and SHF INDUSTRIES;

Defendants,  
-----X

**BLOOM, United States Magistrate Judge:**

On September 27, 2012 this Court issued an order stating that pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, plaintiff must serve defendants within 120 days from the filing of his original complaint, by December 4, 2012. While it is generally true that the filing of an amended complaint does not toll the service period for defendants named in the original complaint, here the Court directed plaintiff to amend his complaint. (ECF No. 4.) As such, the Court hereby amends the 4(m) deadline; plaintiff must serve defendants by January 18, 2013. If service is not made on the defendants by this date or plaintiff fails to show good cause why such service has not been effected, it will be recommended that the Court should dismiss this action without prejudice.

SO ORDERED.

S/Judge Lois Bloom

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LOIS BLOOM  
United States Magistrate Judge

Dated: October 1, 2012  
Brooklyn, New York